IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY EIGHTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION No. 16229 of 2005

Between:

J.Anuradha

..... PETITIONER

AND

The District Collector, R.R.District

and another

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the 2nd respondent in prohibiting the drawl of cheque power vide proceedings No.B2/2639/2001, dated 14.02.2002 and modification order dated 02.05.2003, as illegal and arbitrary, the present writ petition is filed.

It is the case of the petitioner that she was the elected Sarpanch of Kuntloor village, Hayathnagar Mandal of Ranga Reddy District. Basing on some anonymous complaints, the 2nd respondent, without conducting any enquiry and without affording any opportunity passed the impugned order, prohibiting the drawl of cheque power of the petitioner. The

1st respondent issued a show cause notice to the petitioner on 09.03.2002 with regard to some financial irregularities, for which the petitioner submitted a detailed

explanation. Being not satisfied with the explanation of the petitioner, the 1st respondent put the petitioner under suspension. The petitioner preferred a revision before the Government against the suspension order, and the Government, after verification of records, found that the allegations made against the petitioner are procedural lapses and finally allowed the revision by admonishing the petitioner. Again, at the instance of ruling party people, the

1st respondent issued a show cause notice, with the same allegations as alleged in the earlier notice, for which the petitioner submitted her explanation. Being not satisfied with the said explanation, the 1st respondent passed removal orders. The petitioner filed an appeal before the Government against the said order and the same was dismissed. Then, the petitioner filed W.P.No.23758 of 2004 before this Court questioning the removal order, and the said writ petition was allowed by order dated 18.02.2005. The petitioner filed an appeal before the

1st respondent on 04.12.2004 against the impugned order passed by the 2nd respondent under Rule 42(2) of G.O.Ms.No.30, dated 20.01.1995, but the 1st respondent has not passed any orders thereon. Hence this writ petition.

In pursuance of the orders dated 18.02.2005 in W.P.No.23758 of 2004 the petitioner has been continuing as Sarpanch. Admittedly, the appeal preferred by the petitioner against the impugned order is pending consideration before the 1st respondent and the 1st respondent has to pass appropriate orders on the appeal preferred by the petitioner against the impugned order, in accordance with law.

In view of the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition with a direction to the

1st respondent to dispose of the appeal filed by the petitioner dated 04.12.2004, after giving an opportunity to the petitioner, within a period of 8 (eight) weeks from the date of receipt of a copy of this order.

With the above directions, the Writ Petition is disposed of. No order as to costs.

ELIPE DHARMA RAO,J

Dated: 28.07.2005

Dsr